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PATENT

an RF generation module for delivering microwave energy into said cooking cavity;

an upper heater module comprising at least one radiant heat source;

a lower heater module; and

a control operatively connected to said RF generation module, said upper heater module, and said lower heater module for selective control thereof.

Remarks

The Office Action mailed April 23, 2002 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-34 are now pending in this application. Claims 1-34 stand rejected.

A restriction to either invention I, consisting of claims 1-28 drawn to a combination microwave and convection heating oven and method, classified in Class 219, subclass 681, or invention II, consisting of claims 29-34, drawn to a method of controlling the cooking temperature of an oven, classified in class 99, subclass 325, was imposed. In response, Applicants confirm the election with traverse to prosecute the invention of Group I, claims 1-28.

The requirement for election is traversed because the inventions set out by the claims in Groups I and II are clearly related. Applicants submit that a thorough search and examination of any one Group would be relevant to the examination of the other Group and would not be a burden on the Examiner. Additionally, requirements for election are not mandatory under 35 U.S.C. §121. Accordingly, reconsideration of the election requirement is requested.

The objection to the title is respectfully traversed. The title has been amended. Accordingly, Applicants request that the objection to the title be withdrawn.